

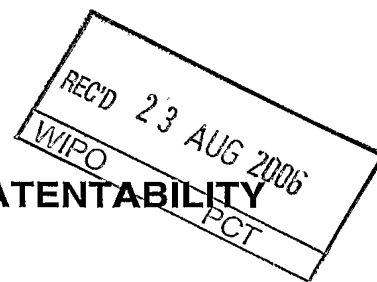
## PATENT COOPERATION TREATY


## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference		<b>FOR FURTHER ACTION</b>	See Form PCT/PEA/416
International application No. PCT/GB2005/001286		International filing date (day/month/year) 01.04.2005	Priority date (day/month/year) 02.04.2004
International Patent Classification (IPC) or national classification and IPC INV. G06F9/46			
Applicant SYMBIAN SOFTWARE LIMITED			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand  15.03.2006		Date of completion of this report  18.08.2006	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized officer  Archontopoulos, E  Telephone No. +31 70 340-2673	



**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
PCT/GB2005/001286

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**Box No. I Basis of the report**

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1. With regard to the **language**, this report is based on
- ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of:
    - ☐ international search (under Rules 12.3(a) and 23.1(b))
    - ☐ publication of the international application (under Rule 12.4(a))
    - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements\*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

**Description, Pages**

1-21 as originally filed

**Claims, Numbers**

1-41 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):

\* *If item 4 applies, some or all of these sheets may be marked "superseded."*

**INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY**

International application No.  
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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes: Claims	1-41
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-41
Industrial applicability (IA)	Yes: Claims	1-41
	No: Claims	

2. Citations and explanations (Rule 70.7):

**see separate sheet**

**Re Item V.**

- 1 Reference is made to the following documents:  
D1: US 6 405 266 B1, 11 June 2002  
D2: WO 99/09490 A, 25 February 1999  
D3: GB 2 354 848 A, 4 April 2001  
D4: WO 02/088949 A, 7 November 2002
- 2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.
  - 2.1 D1 discloses (abstract) the following features defined in claim 1:
    - (i) property published within a first process: event;
    - (ii) notify the retrieved property: event is published via a message broker;
    - (iii) one or more further processes: subscribing processes;
    - (iv) requesting to subscribe: object can subscribe to an event.
  - 2.2 The provision of a portion of the kernel retrieving a property and accordingly notifying it to the appropriate subscribers (differing feature) is considered to be well within the reach of the possibilities obviously available to the skilled person in the field of inter-/intra-process communication in order to allow a more streamlined and secure routing of the relevant retrieval and notification messages. Moreover, as the claim does not indicate which further extraordinary effect (if any) is linked to the choice of the kernel portion, and not e.g. to a user-side server, it can not be seen how the differing feature can contribute to an inventive step.
  - 2.3 Claims 2-39 merely define straightforward features which the skilled person in the field of interprocess communication by means of the subscription/notification model would effortlessly consider and apply to the system disclosed in D1.  
The subject-matter of claims 2-39 is therefore not inventive (Article 33(3) PCT).
  - 2.4 Given the ample similarity between the subject-matter of claims 40 and 41 and that of claim 1, the same reasoning set forth in point 2.1 above applies to claims 40 and 41, the subject-matter of which is not new.

- 3 Attention is drawn on the fact that decoupling the production and consumption of information in software systems to facilitate extensibility by removing explicit dependencies between components is a well-known and widely used concept in the so called "publish/subscribe" architecture (see e.g. D2-D4), characterised by undirected production, and subscription to events by their properties rather than their source.